

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

SCHEDULING ORDER

1. **Introduction:** Pursuant to Fed. R. Civ. P. 16(b) a scheduling conference was held in this cause on March 9, 2012.
2. **Jurisdiction:** In this case, the subject matter jurisdiction of the Court has been invoked pursuant to 28 U.S.C. § 1331, and **is not** in dispute.
3. **Disclosure and Discovery:**
 - (a) **Fed. R. Civ. P. 26(f) Meeting:** The parties have held a discovery planning meeting.
 - (b) **Discovery Plan:** The parties have filed with the Court a discovery plan in accordance with Rule 26(f).
 - (c) **Initial Disclosures:** The parties have made all disclosures required by Rule 26(a)(1) on or before .
 - (d) **Expert Testimony:** Disclosure of any expert testimony in accordance with Fed. R. Civ. P. 26(a)(2) shall be made by plaintiff on or before November 16, 2012 and by defendant on or before December 14, 2012.

(e) **Final Witness List**: On or before May 10, 2013, the parties shall provide to all other parties a final witness list in accordance with Fed. R. Civ. P. 26(a)(3)(A)(i). Within five (5) days after service of this final witness list, the list may be supplemented. After that time the list may be supplemented with leave of the court and for good cause.

(f) **All Discovery**: All discovery, including the taking of depositions "for evidence" and requests for admissions, shall be completed by October 19, 2012.

(g) **Pretrial Disclosures**: On or before May 10, 2013, the parties shall make the pretrial disclosures specified in Fed. R. Civ. P. 26(a)(3)(A)(ii) and (iii). (Deposition testimony and exhibit list). All deposition testimony to be offered into evidence must be disclosed to all other parties on or before this date.

4. Other Scheduling Matters:

(a) **Joinder of Parties**: If any party wishes to join one or more additional parties, such joinder shall be made by July 31, 2012.

(b) **Amendment of Pleadings**: If any party wishes to amend the pleadings, such motion should be filed by July 31, 2012.

(c) **Dispositive Motions**: All dispositive motions under Fed. R. Civ. P. 12 and all motions for summary judgment pursuant to Fed. R. Civ. P. 56 shall be filed as soon as possible, but no later than March 15, 2013. The failure to timely file such motions will be grounds to summarily deny them.

(d) **Motions in Limine**: Any motions in limine must be filed no later than May 24, 2013.

(e) **Special Requests to Instruct for Jury Trial**: Pursuant to Local Rule 51.1, requests for jury instructions shall be submitted to the Court no later than May 31, 2013, and shall be supported by citations of authority pursuant to Local Rule 7.4. A copy of the prepared jury instructions should be sent as an electronic mail attachment in Word Perfect or Word Perfect-compatible format to *collier_chambers@tned.uscourts.gov*.

5. Final Pretrial Conference: A final pretrial conference will be held in this case on May 31, 2013 at 2:00 p.m. before the United States District Judge, Room 317, U. S. Courthouse, 900 Georgia Avenue, Chattanooga, Tennessee. The parties shall prepare and submit a final pretrial order to the Court on or before the date of the final pretrial conference.

6. Trial: The trial of this case will be held before the United States District Judge **and a jury** beginning on June 10, 2013. The trial is expected to last 3 days. Counsel shall be present at 9:00 a.m. to take up any preliminary matters which may require the Court's attention. The parties shall be prepared to commence trial at 9:00 a.m. on the date which has been assigned. If this

case is not heard immediately, it will be held in line until the following day or anytime during the week of the scheduled trial date. **SHOULD THE SCHEDULED TRIAL DATE CHANGE FOR ANY REASON, THE OTHER DATES CONTAINED IN THIS ORDER SHALL REMAIN AS SCHEDULED. SHOULD THE PARTIES DESIRE A CHANGE IN ANY OF THE OTHER DATES, THEY SHOULD NOTIFY THE COURT AND SEEK AN ORDER CHANGING THOSE DATES.**

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE